

Jan. McGlashan, County Treasurer

Gr. 1901	1901	
610 85	By cash, Bertie Township, balance 1901 assessment, \$	1
82 58	Overland,	1
980 00	Office,	1
180 14	Chippewa,	1
171 18	Port Hope,	1
888 97	Port Hope,	1
900 00	Port Hope,	1
85 48	Windsor, N. T.	1
802 00	Windsor,	1
12 84	Humboldt,	1
119 21	Humboldt,	1
8 00	Windsor,	1
8130 60	Administration,	1
30 00	Administration,	1
2054 00	Administration,	1
1719 23	Administration,	1
2052 07	Administration,	1
938 12	Administration,	1
185 12	Administration,	1
857 02	Administration,	1
2553 21	Administration,	1
1240 40	Administration,	1
37 00	Administration,	1
2056 50	Administration,	1
675 00	Administration,	1
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2062 18	Administration,	1
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PROCEEDINGS
OF THE
MUNICIPAL COUNCIL
OF THE
COUNTY OF WELLAND.

—○—
SPECIAL SESSION—E. FURRY, ESQ., WARDEN.

—○—
OCTOBER 19TH AND 20TH, 1882.

—○—
WELLAND :

PRINTED AT THE TRIBUNE STEAM PRINTING HOUSE, J. J. SIDEY, COUNTY PRINTER.

1882.

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MEMBERS

Gainer, J. Gar
Pringle, Russe

1882.

PROCEEDINGS

OF THE

MUNICIPAL COUNCIL

OF THE

COUNTY OF WELLAND.

SPECIAL SESSION.

COUNCIL CHAMBER, Welland, Oct. 19th, 1882.

Pursuant to the call of the Warden, the Council met in Council Chamber, on Thursday, the 19th day of October, 1882, at 10 o'clock a. m., in Special Session, for the purpose of considering the sale of unsold Marsh Lands belonging to the County, *en bloc*, and for the consideration of any other important business that might be brought forward. Council met.

The Warden in the chair.

MEMBERS PRESENT.—Messrs. Baker, Burgar, Cruickshank, Gainer, J. Garner, A. Garner, Hobson, Lee, Misener, McCleary, Pringle, Russell, Sisler, Smith, Herbold, Willson and Yokom.—17. Present.

Object of session.

The Warden announced in opening that he had called this Special Session upon a requisition signed by many members of Council, for the purpose of considering the sale of Marsh Lands and any other important business,—and proceeded to read the requisition referred to ;

And also referred in feeling terms to the death of the late Mr. Hershey since the last Session of Council ;

Also, spoke at length as to the purpose of this Special Session, namely, the sale of Marsh Lands, and stated that every consideration should be given as to drainage, and other matters affecting the purchasers of the Marsh Lands, and trusted that no hasty steps would be taken which would be regretted in the future.

Re late Edwin Hershey.

Moved by Mr. Cruickshank, seconded by Mr. Hobson, That whereas since the last Session of this Council, it has been the will of Divine Providence to remove from our midst Edwin Hershey, Esq., Reeve of the Township of Bertie, and ex-Warden of this County, while in the prime of life and perfect health : We, as a body, desire to record our deep sorrow for his untimely death, and to express our sense of the severe loss thereby sustained by the entire County, and especially by the municipality which he so long and faithfully represented at this Council, as well as the personal loss sustained by every member of this Council, feeling that in the person of the deceased each of us has lost a valued friend, and the County of Welland one of its most useful and able citizens ;

And this Council beg leave to tender to the bereaved family their warmest sympathy in their great affliction ;

And that the Clerk of this Council be instructed to forward without delay a copy of this resolution, with the corporate seal attached, to the deceased gentleman's sisters, at their residence in Bertie.

Which resolution was carried by a standing unanimous vote.

Moved by Mr. Hobson, seconded by Mr. Gainer,

That this Council do now adjourn, to meet again at half-past one o'clock, p.m.—Carried.

Pursuant to motion, the Warden left the chair.

At half-past

The Warden

The Warden
Gilchriese, residing
Court House ;

Also a commission
position vacated

Also a commission
Drain.

Moved by

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AFTERNOON SESSION.

At half-past one, the Council resumed.

The Warden in the chair.

The Warden presented a communication from James A. Gilchriese, resigning his position as caretaker of certain rooms in Court House ;

Communica-
tions:

From J. A.
Gilchriese.

Also a communication from John Botterill, asking for the position vacated by Mr. Gilchriese ;

From John
Botterill.

Also a communication from Robert Nugent, overseer of Marsh Drain.

From Robert
Nugent.

Moved by Mr. Burgar, seconded by Mr. J. Garner,

And resolved, that this Council desire to record their great regret at the demise of John Frazer, Esq., M. D., one of the pioneers of this County, and one of its most prominent citizens, having been a member of the County Council of the United Counties of Lincoln and Welland, and having been, at the time of separation, appointed provisional, and subsequently, first Warden of the County. He was instrumental in the erection of the County Buildings, and purchase of Marsh Lands tract.

Re late Dr.
Frazer.

And as a mark of the estimation in which he was held by his fellow citizens, he was elected their representative in the old Parliament of Canada. The County is indebted to him for many valuable services ; his long life was unselfish and devoted always to the good of his fellow men. Widely known, his memory will be revered by all, and the County is called to mourn the loss of one of its best and most influential inhabitants ; And this Council beg to tender to the bereaved their warmest sympathy, and to express their sorrow for the great loss, and that the Clerk be instructed to engross this resolution in the minutes of this Council.

The resolution was carried unanimously, by a standing vote.

Moved by Mr. Lee, seconded by Mr. Misener,

And resolved, that Mr. J. H. Burgar, Reeve for the Town of Welland, be added to the Standing Committee on Marsh Lands, to

Addition to
Marsh Lands
Committee.

fill the vacancy caused by the death of the late Edwin Hershey, Esq., Reeve for the Township of Bertie.—Carried.

J. A. Gilchriese's resignation accepted.

Moved by Mr. Bugar, seconded by Mr. Cruickshank,

That the resignation of James A. Gilchriese be accepted.—Carried.

Thomas Willson's offer for Marsh Lands.

The Warden presented a communication from Messrs. Harrison and Cowper, on behalf of Mr. Thomas Willson, making an offer of \$3.50 per acre for all unsold Marsh Lands belonging to the County.

R. D. Kennedy heard.

By request of Council, Mr. R. D. Kennedy, County Engineer, was heard before Council in reference to drainage of County Lands.

Moved by Mr. Bugar, seconded by Mr. Cruickshank,

Application of John Botterill referred.

That the communication and application of John Botterill be referred to Gaol Committee, to report thereon at this session.—Carried.

Moved by Mr. Smith, seconded by Mr. Russell,

Motion to sell Marsh Lands.

That the offer of Mr. Thomas Willson for the purchase of the unsold portion of the Marsh Lands, amounting to about 5000 acres, at the rate of \$3.50 per acre, be accepted, and the Warden and Clerk be, and they are hereby authorized and required to execute the necessary conveyances for the transfer of the said lands.

Co. Solicitor heard.

By request, the County Solicitor was heard in reference thereto.

The original motion being again proposed,

Amendment.

Moved by Mr. Lee, seconded by Mr. Bugar, in amendment,

That whereas the sale of the Marsh Lands is a matter of great importance to the future prosperity of this County ;

And whereas in order to do justice to the ratepayers of the County, each municipality should be fully represented in this Council ;

Be it therefore resolved, that the offer of Mr. Thomas Willson be not now accepted, and the same be laid over for further consideration at the December Session of this Council, by which time R. D. Kennedy, the engineer employed, will have his report, plans

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That this
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Pursuant

and specifications of drainage, ready for submission to this Council ; in the meantime the County Solicitor be instructed to examine and ascertain how far the liability of the County is for drainage, beyond what has already been done by the County.

Amendment proposed.

Upon request, Mr. Harcourt appeared before the Council on behalf of Mr. Willson.

Messrs. Harcourt, Willson and others heard.

As also most members present engaged in the discussion.

Also Mr. Thomas Willson was heard at the Council, on his own behalf, as to purchase.

The amendment being again proposed, and Mr. A. Garner calling for the yeas and nays, they were taken as follows :—

YEAS—Messrs. Burgar, Hobson, Lee, Misener, McCleary.—5. Amendment lost.

NAYS—Messrs. Baker, Cruickshank, Gainer, J. Garner, A. Garner, Herbold, Pringle, Russell, Sisler, Smith, Willson and Yokom.—12.

Amendment passing in negative ; majority, 7.

The original motion being again proposed, and several members wishing to address the Council in reference thereto,

It was moved by Mr. Gainer, seconded by Mr. Willson,

That this Council do now adjourn, to meet again to-morrow morning at 9 o'clock.—Carried.

Pursuant to motion, the Council adjourned at 5:45 p.m.

SECOND DAY—MORNING SESSION.

FRIDAY, Oct. 20th, 1882.

Pursuant to adjournment, the Council met at 9 o'clock a.m.
The Warden in the chair.

Present.

MEMBERS PRESENT.—Messrs. Baker, Burgar, Cruickshank, Gainer, J. Garner, A. Garner, Hobson, Lee, Misener, McCleary, Pringle, Russell, Sisler, Smith, Herbold, Willson and Yokom.—17.

The minutes of yesterday were read by the Clerk and approved by Council.

The original motion, as to the sale of Marsh Lands, not reached before adjournment last evening, was again proposed: a very lengthy discussion arising, when, at conclusion, Mr. Willson, through Mr. Harcourt, proposed to add the following words to his offer, viz: "And that the purchaser will continuously improve by systematic drainage the land hereby granted."

**Motion to sell
Marsh Lands
carried.**

Accordingly, the offer was amended by adding the said words.

The original motion being again proposed, and Mr. Smith calling for the yeas and nays, they were taken as follows:—

YEAS—Messrs. Baker, Cruickshank, Gainer, J. Garner, A. Garner, Herbold, Pringle, Russell, Sisler, Smith, Willson, and Yokom.—12.

NAYS—Messrs. Burgar, Hobson, Lee, Misener, McCleary.—5.

The motion passing in the affirmative; majority, 7.

**Gaol Com. re-
port.**

The Gaol Committee presented their special report.

Moved by Mr. Burgar, seconded by Mr. Cruickshank,

Adopted.

That the special report of Gaol Committee be received and read.—Carried.

Report read, pursuant to motion.

Moved by Mr. Burgar, seconded by Mr. Cruickshank,

That report of Gaol Committtee, just read, be adopted.—Carried.

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YEAS—M**NAYS**—M

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—Carried.

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Moved by Mr. Lee, seconded by Mr. Misener,

Whereas the sale of Marsh Lands, made this day without any conditions for drainage, is a great loss and damage to the Townships of Wainfleet and Humberstone, being the Townships in which the said lands are situate ;

Motion to remunerate Wainfleet and Humberstone for non-drainage of Marsh Lands.

And whereas the Government of Canada made a remission on the County's indebtedness to the amount of \$12,000, with a distinct understanding that said sum be expended in further drainage for the benefit of the settlers ;

Be it therefore resolved, that this Council do hereby bind and obligate themselves and their successors in office, to pay to the Townships of Wainfleet and Humberstone the sum of \$6000 ; that is to say, to Wainfleet, \$4000, and Humberstone, \$2000, said sums to be expended under the supervision of the Councils of the said municipalities, in the cleaning out and deepening of County drains in Humberstone and Wainfleet, and the Warden is hereby authorized to issue his cheques in favor of the treasurers of Wainfleet and Humberstone for the above sums, out of the monies received from the sale of Marsh Lands tract.

Upon the motion being proposed, the yeas and nays asked for, were taken as follows :—

YEAS—Messrs. Lee and Misener.—2.

Lost.

NAYS—Messrs. Burgar, Cruickshank, Gainer, J. Garner, A. Garner, Hobson, Herbold, McCleary, Pringle, Russell, Sisler, Smith, Willson and Yokom.—14.

Motion passing in negative ; majority, 12.

Moved by Mr. J. Garner, seconded by Mr. Cruickshank,

Mr. Kennedy discharged.

That the Clerk of this Council be instructed to notify Mr. Kennedy, the County Engineer, that his services will be no longer required, inasmuch as the County Lands have been sold.—Carried.

Moved by Mr. Burgar, seconded by Mr. Pringle,

Finance report.

That the report of Finance Committee be received and read.—Carried.

Report read, pursuant to motion.

Moved by Mr. Bugar, seconded by Mr. Pringle,

That the report of Finance Committee, just read, be adopted.

Adopted.

—Carried.

The business of the session being concluded,

Moved by Mr. Smith, seconded by Mr. Willson,

That this Council do now adjourn, to meet again at the call of the Warden.—Carried.

Pursuant to motion, the Council adjourned at 12:30 p.m.

OFFER OF

The Warden,

DEAR SIR,—

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APPENDIX.

OFFER OF THOMAS WILLSON FOR PURCHASE OF MARSH LANDS.

WELLAND, Oct. 13th, 1882.

The Warden, County of Welland:

DEAR SIR,—

We are authorized by Mr. Thomas Willson, of Wainfleet, to make the following offer for the purchase of the County Marsh Lands *en bloc*:

Mr. Willson will give Three Dollars and a Half (\$3.50) per acre, in payments of Five Thousand Dollars within one month of his receiving notice that the offer is accepted, and the balance six months thereafter. Should he fail to comply with the terms of this offer, he will reimburse the County any expense incurred in connection with it.

Yours respectfully,

HARCOURT & COWPER.

ADD—"And that the purchaser will continuously improve by systematic drainage the tract hereby granted."

HARCOURT & COWPER.

COPY OF TELEGRAM TO MR. KENNEDY.

OCTOBER 20th, 1882.

To R. D. Kennedy, P. L. S., Hamilton :

Discontinue work on drainage, the County have sold the Marsh Land tract.

J. C. PAGE, *County Clerk.*

COMMUNICATION FROM ROBERT NUGENT, OVERSEER OF MARSH DRAIN.

HUMBERSTONE, Oct. 19th, 1882.

E. Furry, Esq., Warden :

DEAR SIR,—

There is on Brown's Tap drain, a part of it from the 4th con. north to the railway, where there were some five fences across some time ago but since removed, and the dirt that comes from the Marsh stopped there and formed a kind of a dam, which stops the water greatly, and will not let it run off ; and also there is another place in the centre of W. J. McCoppen's farm, where he made two ditches, one opposite each other, on both sides of the drain, which carries the dirt into and forms a dam across the drain, and also hinders the water from running off. If these two places were cleaned out the water would run off faster. The Railway Co. did their part of the drain splendid.

Yours &c.,

ROBERT NUGENT,
Overseer of Marsh Drain.

RE

*To the Ward
Council*

The Star
first report, a
accounts, viz
W. H. Anger,
Hellems & G
Hellems & G
L. J. Brennan
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To the Ward

GENTLEME

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REPORT OF FINANCE COMMITTEE.

To the Warden and Councillors of the County of Welland, in Council Assembled :

The Standing Committee on Finance beg to submit this their first report, and recommend the payment of the following certified accounts, viz :—

W. H. Anger, N. F. <i>Review</i> , adv't.....	\$ 2 40
Hellems & Garner, stationery.....	17 75
Hellems & Garner, telegraphing.....	1 70
L. J. Brennan, rebinding atlas for County Clerk's office and registry office.....	3 00

All of which is respectfully submitted.

W. B. PRINGLE,
WM. McCLEARY,
J. H. BURGAR,
A. HERBOLD,

Council Chamber, Welland,
Oct. 20th, 1882.

COMMUNICATION FROM JAMES A. GILCHRIESE, RESIGNING HIS POSITION OF CARETAKER.

WELLAND, Oct. 19th, 1882.

To the Warden and Councillors of the County of Welland :

GENTLEMEN,—

As the number of prisoners committed to this gaol during the past year has greatly decreased, and the number now in custody is not more than required to do the ordinary gaol work, and as I find

my time wholly taken up by such work, I therefore resign my position as caretaker of certain offices in the County Buildings.

Yours very respectfully,

JAMES A. GILCHRIESE.

P. S.—This resignation to take effect on the 1st of November, 1882.

J. A. G.

SPECIAL

*To the Warden
Council As*

Your Gaol
of John Botteri
this their report
caretaker, at a s
1st, 1882, paya
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Council Chamb
Oct. 20th,

APPLICATION FROM JOHN BOTTERILL FOR APPOINTMENT AS CARETAKER.

To the Warden and Councillors of the County of Welland :

GENTLEMEN,—

Having learned that Mr. James A. Gilchriese intends to resign his position as caretaker of certain offices in the County Buildings, I hereby apply for the position. I am willing to take charge of the offices which Mr. Gilchriese had charge of on the first of November. As I would have to do the work myself, I think it worth more than if I had prison help to depend on. I am willing to do the work for the sum of Eight Dollars (\$8.00) per month, payable monthly.

Yours respectfully,

JOHN BOTTERILL.

Welland, Oct. 19th, 1882.

SPECIAL REPORT OF GAOL COMMITTEE.

*To the Warden and Councillors of the County of Welland, in
Council Assembled :*

Your Gaol Committee, to whom was referred the application of John Botterill as caretaker of the offices, beg leave to submit this their report, and would recommend that he be appointed such caretaker, at a salary of eight dollars per month, to commence Nov. 1st, 1882, payable monthly, inasmuch as there is not available prison labor to do the work.

All of which is respectfully submitted.

J. H. BURGAR,
EDWARD LEE,
WM. McCLEARY.
E. CRUICKSHANK,

Council Chamber, Welland,
Oct. 20th, 1882.